

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Criminal, Civil and Public Policy, to which was referred House Bill No. 1264, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 9-14-3-7, AS AMENDED BY P.L.112-2001,
- 4 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2004]: Sec. 7. (a) The bureau shall maintain an operating
- 6 record for each person licensed by the bureau to drive a motor vehicle.
- 7 (b) An operating record must contain the following:
- 8 (1) A person's convictions for any of the following:
- 9 (A) A moving traffic violation.
- 10 (B) Operating a vehicle without financial responsibility in
- 11 violation of IC 9-25.
- 12 (2) Any administrative penalty imposed by the bureau.
- 13 (3) If the driving privileges of a person have been suspended or
- 14 revoked by the bureau, an entry in the record stating that a notice
- 15 of suspension or revocation was mailed by the bureau and the date
- 16 of the mailing of the notice.
- 17 (4) Any suspensions, revocations, or reinstatements of a person's
- 18 driving privileges, license, or permit.
- 19 **(5) Any requirement that the person may operate only a**

1 **motor vehicle equipped with an certified ignition interlock**
 2 **device.**

3 (c) An entry in the operating record of a defendant stating that notice
 4 of suspension or revocation was mailed by the bureau to the defendant
 5 constitutes prima facie evidence that the notice was mailed to the
 6 defendant's address as shown in the official driving record.

7 (d) An operating record maintained under this section:

8 (1) is not admissible as evidence in any action for damages arising
 9 out of a motor vehicle accident; and

10 (2) may not include voter registration information."

11 Page 2, line 21, delete "An" and insert **"In a county that provides**
 12 **for the installation of an ignition interlock device under IC 9-30-8,**
 13 **installation of an"**.

14 Page 2, between lines 23 and 24, begin a new paragraph and insert:

15 **"(d) If a court requires installation of a certified ignition**
 16 **interlock device under subsection (c), the court shall order the**
 17 **bureau to record this requirement in the person's operating**
 18 **record in accordance with IC 9-14-3-7. When the person is no**
 19 **longer required to operate only a motor vehicle equipped with an**
 20 **ignition interlock device, the court shall notify the bureau that**
 21 **the ignition interlock use requirement has expired and order the**
 22 **bureau to update its records accordingly."**

23 Page 2, delete lines 39 through 42.

24 Delete page 3.

25 Page 4, delete lines 1 through 9.

26 Page 4, line 41, delete "possession or".

27 Page 5, line 1, delete "must" and insert **"may"**.

28 Page 11, line 26, after "must" insert **", in a county that provides**
 29 **for the installation of an ignition interlock device under**
 30 **IC 9-30-8,"**.

31 Page 12, line 8, after "must" insert **", in a county that provides for**
 32 **the installation of an ignition interlock device under IC 9-30-8,"**.

- 1 Page 13, line 5, after "must" insert "**, in a county that provides for**
- 2 **the installation of an ignition interlock device under IC 9-30-8,".**
- 3 Renumber all SECTIONS consecutively.
 (Reference is to HB 1264 as reprinted January 30, 2004.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

Long

Chairperson